

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated July 28, 2006, claims 2-23 and 25-50 are pending in the application. Claims 36-50 have been withdrawn from consideration. Claim 51 has been added. Applicant respectfully requests a reconsideration of the rejections.

Claims 3 and 5 stand objected to because of informalities. Claims 3 and 5 have been amended to overcome this objection.

Claims 12, 15, 17-19, 30, 33 and 34 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner states that claims 12 and 13 are unclear as to how the flange is coupled to the first body and is also coupled to the coupler. The flange is described in paragraph 30 as reference numeral 70. The flange is described as an optional feature. The flange is illustrated in various figures including Figure 4. As can be seen, the flange 70 extends between the first planar member 68 and the coupler 64. Claim 12 was amended to include that the flange is fixedly coupled to the first planar member. Claim 30 recites that the flange is fixedly coupled to the first body portion and the coupler. As noted above, the first planar member is part of the first body portion in claim 12. Therefore, Applicants believe that this rejection has been overcome.

Claims 15 and 33 stand rejected because the second planar member is recited before a first planar member. Claim 15 has been amended to change the dependency to claim 12. Claim 33 has been amended to include the first planar member prior to the

second planar member. Applicants, therefore, believe that this rejection has also been overcome.

Claims 2-22 and 25-35 stand rejected under 35 U.S.C. §102(b) as being anticipated by Morghen (U.S. Patent No. 5,823,588).

Claim 3 is the first independent claim. Claim 3 has been amended to recite that the notch is a fixed dimension notch and also that the anchor body has a rectangular shape. The fixed dimension aspect was carried on into several claims below. The *Morghen* reference describes a universal hoist assembly. The hoist assembly uses a threaded fastener to couple to a structure 38. The threaded fastener 40 has a nut thereon.

Applicants disagree that the *Morghen* reference includes a notch. However, to clarify the notch in claim 3, the word "fixed-dimension" is placed therein. In the present invention, a unitary structure has the notch therein. The unitary structure may be formed from one piece or may be formed from multiple pieces welded or otherwise affixed together. The notch is illustrated in Figure 4 as reference numeral 50. It is clear from the description that the notch does not or cannot change size once it is manufactured. Therefore, the fixed-dimension wording has been included in the notch to highlight the fact that the anchor body or the anchor device is not a clamp but rather an engagement device. That is, the notch engages the surface of the deck so that it is retained therein. When the device is used for pulling, the forces at the notch allow the deck surface to maintain its engagement within the notch so that the anchor device stays in its desired location. A secondary clamping device is illustrated in Figure 10 as a back-up to the anchor body but it is not required. Therefore, because of the fixed

dimension notch, Applicants respectfully believe that the *Morghen* reference has been overcome, since it does not include a fixed-dimension notch.

Independent claims 8, 12, 16, 20, 26 and 27 have been amended in a similar manner to include the fixed-dimension notch and, therefore, these claims are also believed to be overcome. Likewise, the dependent claims to the above independent claims are also believed to be allowable for the same reasons set forth above.

Claims 2-18, 20-2 and 25-35 stand rejected under 35 U.S.C. §102(b) as being anticipated by Celett (U.S. Patent No. 4,519,236).

The *Celett* reference is also a clamping device. Applicants also disagree that the *Celett* reference has a notch but the clarification described above, with respect to the fixed-dimension notch, is believed to overcome any confusion from this and the *Celett* reference. It should be noted that claim 23 was not amended because the trapezoidal coupler is not taught or suggested in the *Celett* reference. The Examiner points to elements 18 and 19 of Figure 4 of the *Celett* reference for a trapezoidally-shaped coupler. Applicants cannot find a trapezoid in this structure looking at Figure 4 and Figure 2 which more closely illustrates reference numeral 19. Only an L-shaped bracket or a rectangular bracket, depending on the view, is illustrated. Applicants, therefore, respectfully request the Examiner to reconsider this rejection as well.

New claim 51 has been added which states that the body structure has a unitary portion. Because of the unitary structure, the notch would, therefore, be fixed in terms of dimension.

In light of the remarks above, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious

notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 08-0750.

Respectfully submitted,

Dated: _____

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Kevin G. Mierzwa, Reg. No. 38,049
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy, Michigan 48098-2683
Telephone: 248-641-1600
Facsimile: 248-641-0270